

3487

DIVORCE DECREE

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The State of Alabama, Baldwin County

Circuit Court, In Equity

Eula Merle Joyner, Complainant

vs.

Everette Joyner, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Answer and Waiver and Testimony as noted by the Register, and upon consideration thereof, the Court is of the opinion that the Complainant is entitled to the relief prayed for in said bill.

It is therefore ordered, adjudged and decreed by the Court that the bonds of matrimony heretofore existing between the Complainant and Defendant be, and the same are hereby, dissolved, and that the said Eula Merle Joyner is forever divorced from the said Everette Joyner for and on account of Cruelty

It is further ordered, adjudged and decreed that neither party to this suit shall again marry except to each other until sixty days after the rendition of this decree, and that if appeal is taken within sixty days, neither party shall again marry except to each other during the pendency of said appeal.

It is further ordered that the Complainant and Respondent be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that the Complainant

pay the cost herein to be taxed, for which execution may issue.

This 21 day of March, 1955

Hubert M. Steele, Judge Circuit Court, In Equity.

I, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in the above stated cause, which said decree is on file and enrolled in my office.

Witness my hand and seal this the day

of, 19

Register of Circuit Court, In Equity.

No. 3489 Page _____

The State of Alabama
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

FILED
MAR 21 1955
ALICE J. DUCK, Register

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: Melba Trawick

KNOW YE: that we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine Eula Merle Joyner and Mrs. Nonie Taylor

as witnesses in behalf of the Complainant in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Eula Merle Joyner is

Everette Joyner is, Complainant.

Respondent.

on oath, to be by you administered, upon Eula Merle Joyner and Mrs. Nonie Taylor to take and certify the depositions of the witnesses and return the same to our Court, with all convenient speed, under your hand.

Witness 19 day of March, 1955.

Deane J. ...
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

The State of Alabama,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Eula Merle Joyner

Complainant

VS.

Everette Joyner

Respondent

I, Melba Trawick

as Register and Commissioner

have called and caused to come before me Eula Merle Joyner and Mrs. Nonie Taylor

witnesses named in the Requirement for Oral Examination, on the 19th day of March

19 55, at the office of Reuben F. McKinley, Attorney

in Bay Minette,

Alabama, and having first sworn said Witnesses to speak the

truth, the whole truth, and nothing but the truth, the said Eula Merle and Mrs. Nonie Taylor

doth depose and say as follows:

That my name is Eula Merle Joyner and I am the Complainant in this cause. I married the Respondent on to-wit May 28, 1952 at Lucedale, Mississippi and lived together with him as husband and wife until on to-wit December 7, 1954, when we seperated because of the cruelty of the Respondent, the actual violence to my person and the reasonable apprehension of more dire violence. There are no children as fruits of this marriage and no property to be divided. I am over the age of ~~seven~~ sixteen-years and the Respondent is over the age of twenty-one years. We are both bona fide residents of Baldwin County, Alabama.

Eula Merle Joyner

That my name is Mrs. Nonie Taylor and I know both the Complainant and the Respondent in this cause. I k now they were married on to-wit May 28, 1952 at Lucedale, Mississippi and lived together as husband and wife until on to-wit December 7, 1954, when they seperated because of the Cruelty of the Respondent. I know that they are both bona fide residents of Baldwin County, Alabama, that there are no children as fruits of this marriage and no property to be divided.

Mrs Nonie Taylor

ORAL EXAMINATION

I, Melba Twawick, as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down by ~~me~~ in writing in the words of the witness es and read over to them and they signed the same in the presence of myself and Reuben F. McKinley, Attorney

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proom made before me of the identity of said witness es; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof.

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 19th day of March, 1955.

Melba Twawick (L. S.)

No. 3489 Page _____

The State of Alabama
Baldwin County.

In Circuit Court, In Equity

vs. Complainant

Respondent

Oral Deposition

Filed _____, 19____

Register

FILED
MAR 21 1955
Recorded in

Record

ALICE J. MCKEY, Register

Vol. _____ Page _____

Register

Eula Merle Joyner

vs.

Everette Joyner

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, Answer
and Waiver and Oral Depositions

and in behalf of Defendant upon

Paul F. McFarley
Attorney for Complainant

Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

Eula Merle Joyner

vs.

Everette Joyner

NOTE OF TESTIMONY

Filed in Open Court this

day of, 194

FILED

MAR 21 1955 Register.

Printed by the Baldwin **WEEK**, Register

| | | |
|-------------------|---|-------------------------|
| Eula Merle Joyner | ¶ | In the Circuit court of |
| Complainant | ¶ | Baldwin County, Alabama |
| Vs | ¶ | In Equity |
| Everette Joyner | ¶ | |
| Defendant | ¶ | |

Now comes the Respondent and accepts services of the summons and complaint in this cause.

The Respondent admist the allegations as to ages, marriage and residence, but denies all other allegations contained in the bill of complaint and demands strict proof of the same.

The Respondent waives notice of the time of taking testimony on behalf of the Complainant; the right to cross examine complainant's witnesses; and agrees that this cause be submitted for final decree without further notice.

his
Everette Joyner
mark

Witness — Preston Joyner

FILED
Mar. 21, 1955
ALICE J. DUCK, Register

Eula Merle Joyner

Complainant

Vs

Everette Joyner

Respondent

Answer and Waiver

FILED

MAR 21 1955

ALICE J. DECK, Register

FILED

Mar. 21, 1955

STATE OF ALABAMA
COUNTY OF BALDWIN

ALICE I. DUCK, Register

To any Sheriff of the State of Alabama:

You are hereby commanded to summon Everette Joyner to appear and plead, answer or demur within thirty days from the service hereof to the bill of complaint filed in the Circuit Court of Baldwin County, Alabama in Equity by Eula Merle Joyner as Complainant and against Everette Joyner as Respondent.

Witness my hand, this the _____ day of _____, 1955.

Register

| | | |
|-------------------|---|-------------------------|
| Eula Merle Joyner | ¶ | |
| Complainant | ¶ | In the Circuit Court of |
| Vs | ¶ | Baldwin County, Alabama |
| Everette Joyner | ¶ | In Equity |
| Respondent | ¶ | |

To Honorable Hubert M. Hall, Judge of the Circuit Court of Baldwin County, Alabama:

Your Complainant, Eula Merle Joyner respectfully represents unto Your Honor and this Honorable Court as follows;

1.

Your Complainant is a bona fide resident of Baldwin County, Alabama and over the age of Sixteen-years; that the respondent is over the age of twenty-one years and also a resident of Baldwin County, Alabama.

2.

That your Complainant and Respondent married on to-wit May 28, 1952 at Lucedale, Mississippi and lived together as husband and wife until on to-wit December 7, 1954 when they seperated because of the cruelty of the Respondent.

3.

That on to-wit December 7, 1954 and on several occasions prior thereto the Respondent threatened and abused the Complainant, threatened to do violence to ~~hæ~~ person and actually did do violence to her person, striking, threatening and beating her on several occasions, which would necessarily endanger her life and health. The conduct of the Respondent was such as ^{make the Complainant} actually believe that if she continued to live with ~~hæ~~ that she would carry out his threats and do actual violence to ~~hæ~~ persons which would necessarily endanger her life and health.

4.

That there are no children as fruits of this marriage and no property to be divided.

5.

Wherefore, the premises considered, your Complainant prays that your Honor will by proper procedure make the said Everette Joyner, party Respondent to this Bill of Complaint, requiring him to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practices of this Honorable Court.

Your Complainant further prays that upon a final hearing hereof Your Honor will grant to him an absolute divorce, forever barring the bonds of matrimony existing between your Complainant and Respondent and your Complainant prays for such other, further, different or general relief as he may be in Equity and good conscience entitled to receive.

Richard A. McKinley
Solicitor for the Complainant

no 3489

Eula Merle Joyner

Complainant

Vs

Everette Joyner

Respondent

Summons and Complaint

3489

FILED
MAR 21 1955

ALICE L. DUCK, Register